

## REQUEST FOR COUNCIL ACTION

MEETING  
DATE: 2-19-03

305

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-14
ITEM DESCRIPTION: Final Plat #03-06 by Elton Hills Plaza West, LLC to be known as 41 <sup>st</sup> Street Business Park		PREPARED BY: Brent Svenby, Planner

February 13, 2003

### Planning Department Review:

See attached staff report dated February 13, 2003 recommending approval subject to the following modifications / conditions:

1. ***Cross access easements must be provided over the private road system. Said easements must be recorded concurrent with the final plat documents.***
2. ***Prior to the recording of the final plat documents, the final grading and drainage plans shall be approved by the City Public Works Department.***
3. ***Prior to the recording of the final plat documents, the owner shall execute an Ownership and Maintenance Declaration for Outlot A.***
4. ***The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.***

### Council Action Needed:

1. ***A resolution approving the plat can be adopted.***
2. ***The Council should include a motion to adopt findings to support either approval or denial of the proposed Substantial Land Alteration Activity.***

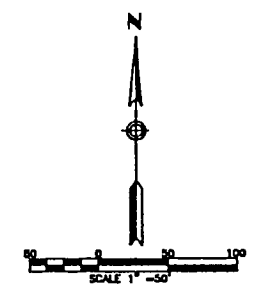
### Distribution:

1. City Administrator
2. City Attorney
3. Planning Department File
4. Planning Department, GIS Division
5. Applicant: This item will be considered sometime after 7:00 p.m. on Wednesday, February 19, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
6. McGhie & Betts, Inc.

COUNCIL ACTION: Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

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# 41ST STREET BUSINESS PARK



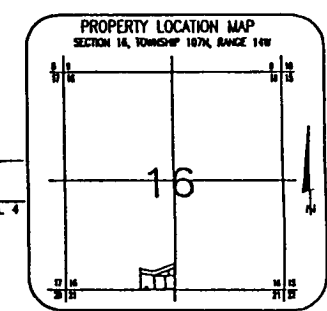
NOTE:  
ALL MONUMENTS SHOWN HERE ON  
ARE 1/4" IN CIRCUMFERENCE  
WITH LOCUS IN 1983  
WITH 1/4" IN 1983 WITH 1/4" IN 1983  
WITH 1/4" IN 1983 WITH 1/4" IN 1983

ALL MONUMENTS SHOWN HERE ON  
ARE PLANT 1/4" IN CIRCUMFERENCE  
WITH LOCUS IN 1983

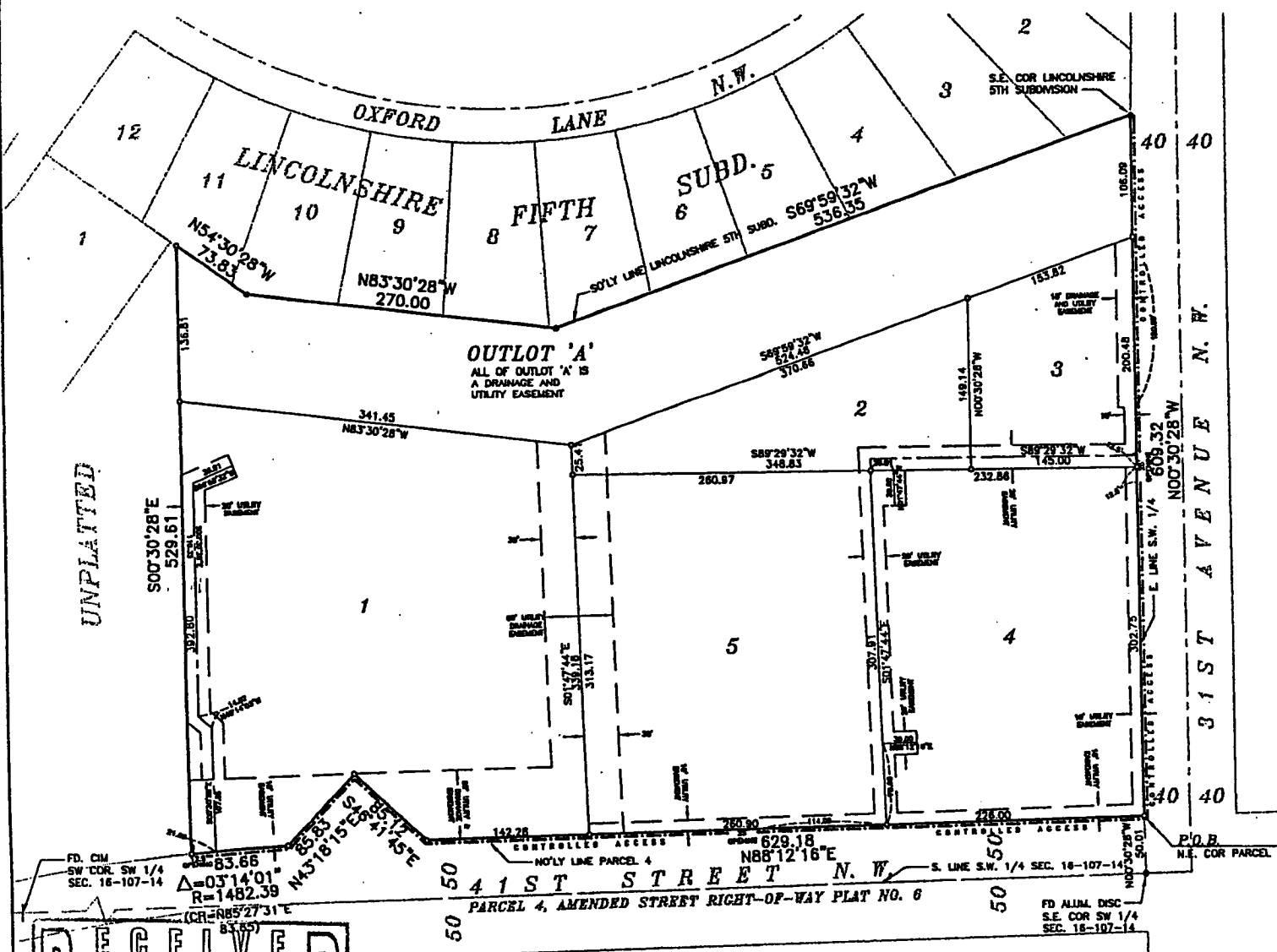
UTILITY EASEMENT defined:  
An unobstructed easement for the construction  
and maintenance of all necessary underground or  
surface public utility including rights to  
conduct drainage and venting as and when

DRAINAGE EASEMENT defined:  
An unobstructed easement for the operation and  
maintenance of surface, both surface and  
underground, running sewer, storm, and water  
and sewer.

CONTROLLED ACCESS defined:  
Access to, across, to, from, or across the existing  
roadway is restricted by the road authority pursuant  
to Minnesota State Statute 160.04.



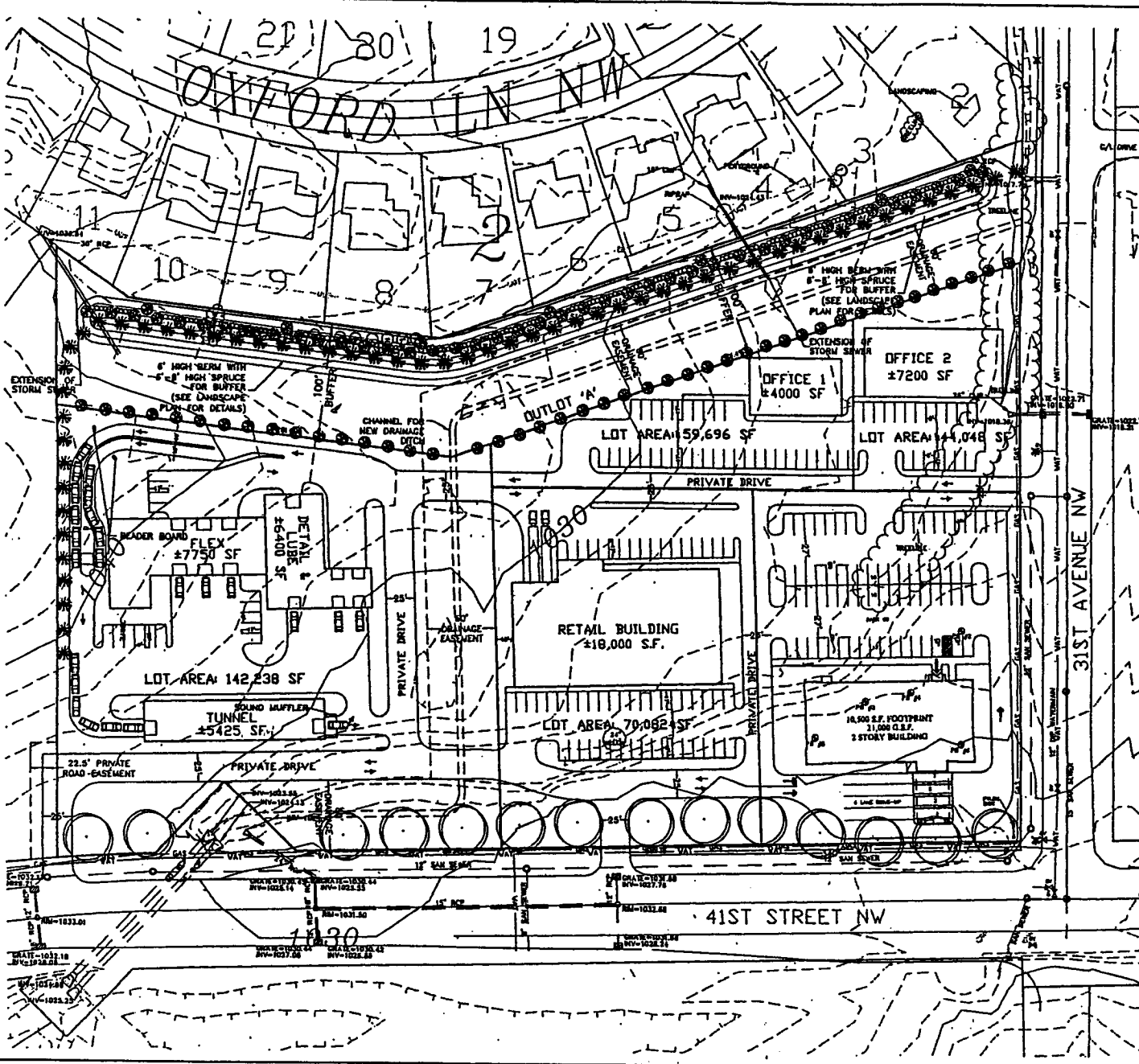
PREPARED BY  
BROWN & BROWN, INC.  
LANDSCAPE ARCHITECTS  
PLANNERS, LAND SURVEYORS  
REGISTERED ARCHITECTS



**RECEIVED**

FEB - 3 2003

ROCHESTER OLMS TED  
PLANNING DEPARTMENT



**SITE CAPACITY CALCULATIONS FOR**  
**41ST STREET PLAZA**  
**ZONING: ARBORETUM SPECIAL DISTRICT**  
**USES: CAR WASH, RETAIL, OFFICES, & BANK**  
**CALCULATIONS BY USE:**

**CAR WASH:**  
 LOT: 133,249 SF OR 3.1 ACRES  
 F.A.R. PERMITTED: .5 X 133,249 = 66,624 S.F.  
 F.A.R. PROPOSED: 19,676 S.F.  
 LANDS. SPACE REQU.: 12 X 172,804=15,989 S.F.  
 LANDS. SPACE PROVIDED: 63,008 S.F.  
 PARKING: 15 STALLS PROVIDED  
 BUFFERYARD: 'C' BUFFERYARD ADJACENT R-1  
 EXTERIOR STORAGE: 'T, S, 25X' REQUIRED

**RETAIL (FURNITURE):**  
 LOT: 70,082 S.F. OR 1.6 ACRES  
 F.A.R. PERMITTED: .5 X 70,082 = 35,041 S.F.  
 F.A.R. PROPOSED: 18,000 S.F.  
 LANDS. SPACE REQU.: 12 X 70,082=8,400 S.F.  
 LANDS. SPACE PROVIDED: 15,990 S.F.  
 PARKING REQUIRED: 1/600 SF OF FLOOR AREA  
 PARKING PROVIDED: 60 STALLS  
 BUFFERYARD: NO BUFFERYARD REQUIRED  
 EXTERIOR STORAGE: 'T, A' REQUIRED

**OFFICE 1**  
 LOT: 29,374 S.F. OR .67 ACRES  
 F.A.R. PERMITTED: .5 X 29,374 = 14,687 S.F.  
 F.A.R. PROPOSED: 4,000 S.F.  
 LANDS. SPACE REQU.: 12 X 29,374=3,524 S.F.  
 LANDS. SPACE PROVIDED: 8,241 S.F.  
 PARKING REQUIRED: 1/400 SF OF FLOOR AREA  
 PARKING PROVIDED: 33 STALLS  
 BUFFERYARD: 'T' BUFFERYARD ADJACENT R-1  
 EXTERIOR STORAGE: 'T' REQUIRED

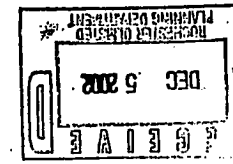
**OFFICE 2**  
 LOT: 25,347 S.F. OR .58 ACRES  
 F.A.R. PERMITTED: .5 X 25,347 = 12,673 S.F.  
 F.A.R. PROPOSED: 7,200 S.F.  
 LANDS. SPACE REQU.: 12 X 25,347=3,041 S.F.  
 LANDS. SPACE PROVIDED: 9,197 S.F.  
 PARKING REQUIRED: 1/400 SF OF FLOOR AREA  
 PARKING PROVIDED: 21 STALLS  
 BUFFERYARD: 'T' BUFFERYARD ADJACENT R-1  
 EXTERIOR STORAGE: 'T' REQUIRED

**BANK**  
 LOT: 70,043 S.F. OR 1.6 ACRES  
 F.A.R. PERMITTED: .5 X 70,043 = 35,021 S.F.  
 F.A.R. PROPOSED: 21,000 S.F.  
 LANDS. SPACE REQU.: 12 X 70,043=8,405 S.F.  
 LANDS. SPACE PROVIDED: 15,267 S.F.  
 PARKING REQUIRED: 1/400 SF OF FLOOR AREA  
 PARKING PROVIDED: 69 STALLS  
 BUFFERYARD: NO BUFFERYARD REQUIRED  
 EXTERIOR STORAGE: 'T' REQUIRED

**BUILDING SETBACKS:**  
 FRONT=15  
 SIDE=0  
 REAR=0

**EXTERIOR LIGHTING**  
 STANDARD 'B' REQUIRED

**EXTERIOR SIGNS**  
 STANDARD 'B' REQUIRED  
 READER BOARDS AS SHOWN



**McGhie**  
  
**Betts, Inc.**

Land Surveying  
 Urban-Land Planning  
 Consulting - Civil  
 Engineering  
 Construction Management  
 Landscape Architecture

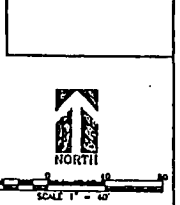
1648 Third Ave. S.E.  
 Rochester, MN 55904  
 Tel. 507.259.2010  
 Fax. 507.259.7333  
 email: info@mcghiebetts.com

Project No.	Client	Date
2008-01	City of Rochester	01/01/08
2008-02	City of Rochester	02/01/08
2008-03	City of Rochester	03/01/08
2008-04	City of Rochester	04/01/08
2008-05	City of Rochester	05/01/08
2008-06	City of Rochester	06/01/08
2008-07	City of Rochester	07/01/08
2008-08	City of Rochester	08/01/08
2008-09	City of Rochester	09/01/08
2008-10	City of Rochester	10/01/08
2008-11	City of Rochester	11/01/08
2008-12	City of Rochester	12/01/08

ELTON HILLS PLAZA WEST LLC  
 140 ELTON HILLS LN NW  
 ROCHESTER, MN 55901

Designed by: JJJ  
 Drawn by: JJJ  
 Checked by: JJJ  
 Scale: 1" = 40' (Sheet No. 10430/1155)  
 Date: 10/04/08 File No. 31015144

**SITE PLAN/  
 PROJECT DEVELOPMENT PLAN**  
 41ST STREET PLAZA  
 ROCHESTER, MN



**APPROVED PROJECT  
 DEVELOPMENT PLAN**

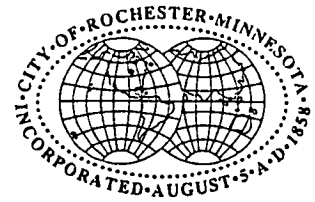
107

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COUNTY OF

*Olmsted*



ROCHESTER-OLMSTED  
PLANNING DEPARTMENT

2122 CAMPUS DR SE  
ROCHESTER MN 55904-4744

ADMINISTRATION/  
PLANNING 507/285-8232

GIS/ADDRESSING/  
MAPPING 507/285-8232

HOUSING/HRA 507/285-8224

BUILDING CODE 507/285-8213

WELL/SEPTIC 507/285-8345

FAX 507/287-2275

**TO: Rochester Common Council**

**FROM: Brent Svenby, Planner**

**DATE: February 13, 2003**

**RE: Final Plat #03-06 to be known as 41<sup>st</sup> Street Business Park.**

**Planning Department Review:**

**Applicant**

Elton Hills Plaza West LLC  
140 Elton Hills Lane NW  
Rochester, MN 55901

**Owner:**

Cordul Establishments, Inc.  
Attn: Robert Ward  
PO Box 6390  
Rochester, MN 55903

**Surveyors/Engineers:**

McGhie & Betts, Inc.  
1648 Third Ave. SE  
Rochester, MN 55904

**Referral Comments:**

1. Rochester Public Works
2. Fire Department
3. RPU – Water Division
4. RPU – Operations Division
5. Planning Dept. Addressing Division

**Report Attachments:**

1. Referral Comments (3 Letters)
2. Copy of Final Plat
3. Approved Project Development Plan
4. SLA Map and Information

**Plat Data:**

**Location of Property:**

The property is located along the north side of 41<sup>st</sup> St.  
NW, west of 31<sup>st</sup> Ave. NW

**Zoning:**

SD-1 (Arboretum Special District)

**Proposed Development:**

The applicant is proposing to subdivide the property to facilitate a commercial development. Since the property is located in the Arboretum Special District development approval is a two step process which includes the Project Development Plan and the Final Site Plan. On December 16, 2002 the Council



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approved the Project Development Plan for the property.

- Streets:** Three access are proposed to serve the property. Two are located along 41<sup>st</sup> Street, the westerly one being at a shared property line. One other access will be located on 31<sup>st</sup> Avenue.
- Drainage:** A drainage ditch currently runs through the south and eastern portion of the property. The applicant is proposing to re-route existing stormwater flows through an open drainage channel through the site.
- Wetlands:** A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- Public Utilities:** Utilities will need to be extended throughout the property.
- Spillover Parking:** Spillover parking requirements for these lots will be reviewed at the time that the final site plan is reviewed for the property.
- General Development Plan:** The approved Arboretum General Development Plan designates this property appropriate for "commercial" development. The applicant received approval of the project development plan on December 16, 2002.

**Substantial Land Alteration:**

This application includes a request for approval of land disturbing activities defined as Substantial Land Alteration according to Section 61.1101, 2, a) of the Rochester Zoning Ordinance and Land Development Manual (LDM). Section 61.1102 of the LDM allows the City to consider a request for excavation or substantial land alteration as part of a Type III application, such as a plat, subject to making findings established in Section 62.1105 and 61.146 of the LDM.

Sections 61.146 and 62.1105 of the LDM are attached.

The applicant is requesting approval for grading work that includes altering grades by 10 feet or more in three locations on the property. The attached plan identifies the three areas that will exceed 10 feet of grade change. Please see the attached plan and narrative prepared by McGhie & Betts, Inc.

**Suggested Findings for Substantial Land Alteration:**

Regarding findings for Section 62.1105, staff suggests the findings as written can be made, with the exception of #13 and #14. Staff suggests the following findings for those two items:

- #13) The grading and drainage plans and erosion and sedimentation control plans must be approved by the City prior to commencement of grading activities on this property.*

#14) *The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.*

**The Planning Staff would suggest the following findings for Section 61.146:**

- 1) *Not applicable.*
- 2) *Not applicable.*
- 3) *Not applicable.*
- 4) *The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.*
- 5) *Not applicable.*
- 6) *Not applicable.*
- 7) *Not applicable.*
- 8) *Not applicable.*

**Preliminary Plat:**

There was not a preliminary plat for this property. No new right-of-way is being dedicated with this Plat.

**Planning Staff and Recommendation:**

The Planning Staff has reviewed the submitted final plat staff would then recommend approval subject to the following conditions:

1. ***Cross access easements must be provided over the private road system. Said easements must be recorded concurrent with the final plat documents.***
2. ***Prior to the recording of the final plat documents, the final grading and drainage plans shall be approved by the City Public Works Department.***
3. ***Prior to the recording of the final plat documents, the owner shall execute an Ownership and Maintenance Declaration for Outlot A.***
4. ***The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.***

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

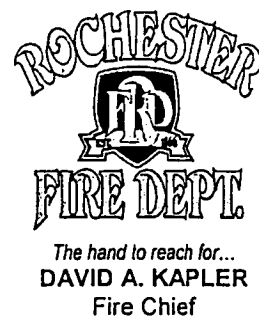
FROM: Mark E. Baker

DATE: 2/12/03

The Department of Public Works has reviewed the application for a Final Plat #03-06 on the proposed 41<sup>st</sup> Street Business Park property. The following are Public Works comments on this request:

1. A Development Agreement has been executed for this Property.
  2. Final Grading & Drainage Plan approval is required prior to development and/or recording of the Final Plat.
  3. Execution of a City / Owner Contract will be required prior to construction of public infrastructure.
  4. The Owner is required to execute an Ownership & Maintenance Declaration for Outlot 'A', prior to recording the Final Plat.
- ❖ Development Charges are addressed in the executed Development Agreement.

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DATE: February 13, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher, Fire Protection Specialist

SUBJ: Final Plat 03-06 by Elton Hills Plaza West, LLC to be known at 41<sup>st</sup> Street Business Park. Property is located north of 41<sup>st</sup> St NW, west of 31<sup>st</sup> Ave NW and south of Lincolnshire Firth Subdivision and Oxford Ln NW.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
  2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
  3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
  4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division  
Elton Hills Plaza West, LLC – 140 Elton Hills Ln NW – Rochester, MN 55901  
McGhie & Betts Inc. – 1648 3<sup>rd</sup> Ave SE – Rochester, MN 55904





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February 10, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: Final Plat #03-06 by Elton Hills Plaza West, LLC to be known as 41<sup>st</sup> Street Business Park.

Dear Ms. Garness:

Our review of the referenced final plat is complete and we have no objections, per the preliminary utility plan review, final utility plans have yet to be reviewed.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson  
Water

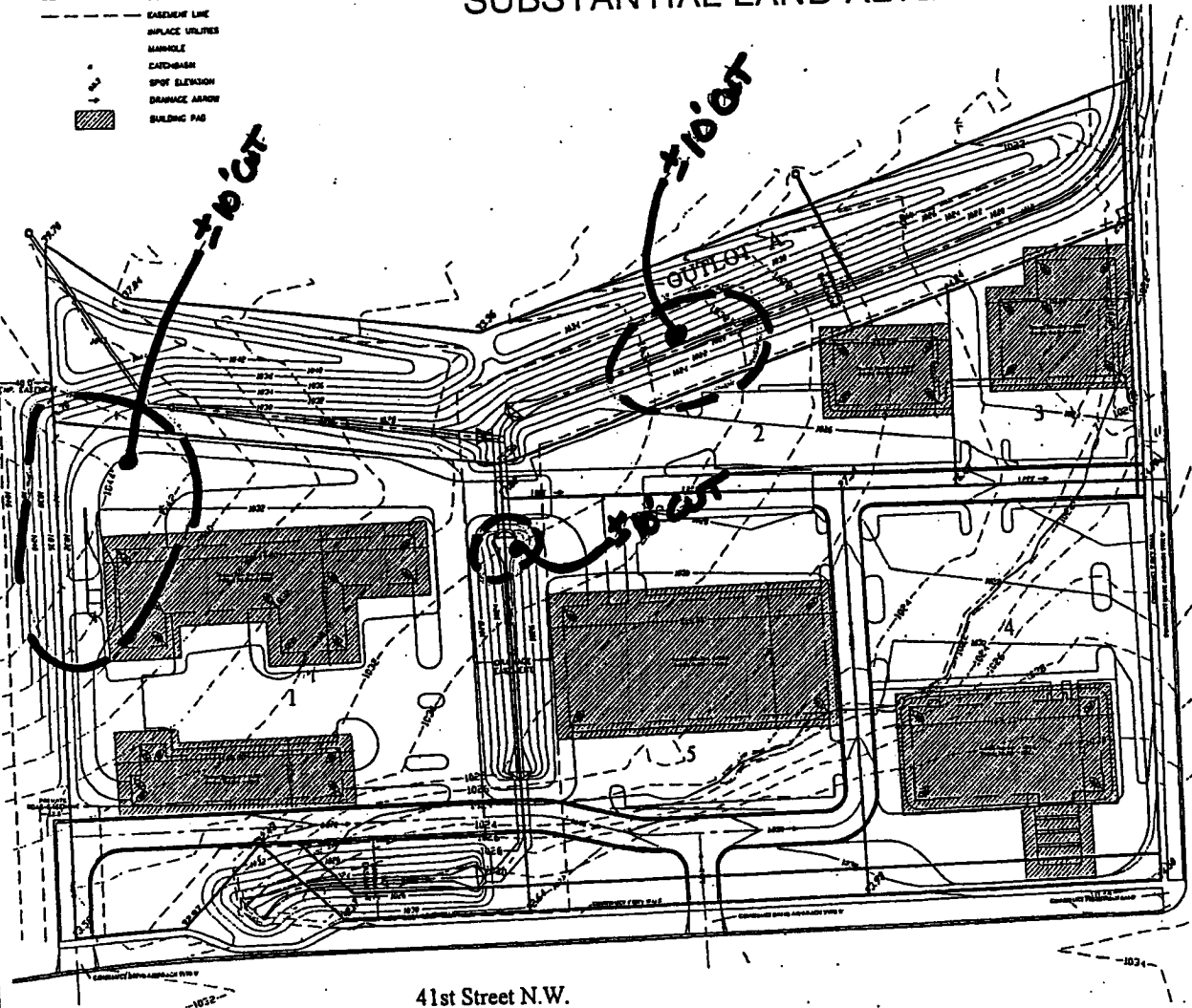
C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention  
Elton Hills Plaza West, LLC  
McGhie & Betts, Inc.

# 41st Street Business Park

## SUBSTANTIAL LAND ALTERATION

### Legend

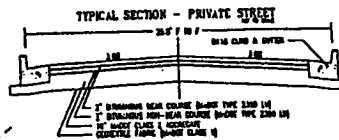
- 100' --- EXISTING CONTOUR
- 100' --- PROPOSED CONTOUR
- GRADING LIMITS
- SALT FENCE EROSION CONTROL
- EASEMENT LINE
- IMPLACE UTILITIES
- MANHOLE
- CATCHBASIN
- SPOT ELEVATION
- DRAINAGE ARROW
- BUILDING PAD



### NOTES:

1. THE GRADING PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
2. THE PROPOSED GRADING SHALL BE BASED UPON THE FOLLOWING ASSUMPTIONS:
  - a. ALL EXISTING UTILITIES SHALL BE MAINTAINED AT THEIR EXISTING DEPTHS.
  - b. ALL NEW UTILITIES SHALL BE INSTALLED AT THE DEPTHS SHOWN ON THIS PLAN.
  - c. ALL EXISTING STRUCTURES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - d. ALL NEW STRUCTURES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - e. ALL EXISTING DRIVEWAYS SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - f. ALL NEW DRIVEWAYS SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - g. ALL EXISTING SIDEWALKS SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - h. ALL NEW SIDEWALKS SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - i. ALL EXISTING CURBS SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - j. ALL NEW CURBS SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - k. ALL EXISTING GUTTERS SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - l. ALL NEW GUTTERS SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - m. ALL EXISTING DRAINAGE DITCHES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - n. ALL NEW DRAINAGE DITCHES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - o. ALL EXISTING FENCES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - p. ALL NEW FENCES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - q. ALL EXISTING LIGHT FIXTURES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - r. ALL NEW LIGHT FIXTURES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - s. ALL EXISTING SIGNAGE SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - t. ALL NEW SIGNAGE SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - u. ALL EXISTING LANDSCAPING SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - v. ALL NEW LANDSCAPING SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - w. ALL EXISTING TREES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - x. ALL NEW TREES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.
  - y. ALL EXISTING BUSHES SHALL BE MAINTAINED AT THEIR EXISTING ELEVATIONS.
  - z. ALL NEW BUSHES SHALL BE CONSTRUCTED AT THE ELEVATIONS SHOWN ON THIS PLAN.

TABULATION OF PROJECT AREAS	
TOTAL PROJECT AREA	5.5 ACRES
ROAD, GRADING PROJECT AREA	5.5 ACRES
ESTIMATED TOTAL IMPERVIOUS SURFACE AREA OF PROJECT	6.7 ACRES
ESTIMATED TOTAL PERVIOUS AREA OF PROJECT	6.8 ACRES
ESTIMATED IMPERVIOUS SURFACE AREA OF ULTIMATE DEVELOPMENT	6.8 ACRES
ESTIMATED PERVIOUS AREA OF ULTIMATE DEVELOPMENT	5.5 ACRES



Land Surveying  
Urban-Land Planning  
Consulting - Civil Engineering  
Geotechnical Engineering  
Construction Management  
Landscape Architecture

Lead Office: 300 S.E. Rochester, MN 55904  
Tel: 763-288-2012  
Fax: 763-288-2013  
Email: info@mcghebetts.com

Project Name	Project No.	Project Date
41st Street Business Park	2003-01	2003-01

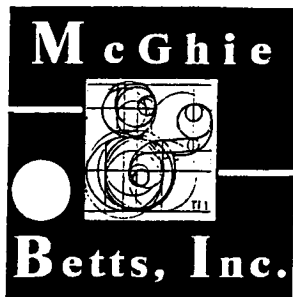
ELTON HILLS PLAZA WEST LLC  
110 ELTON HILLS LN SW  
ROCHESTER, MN 55901

Prepared by: JMB  
Checked by: JMB  
Drawn by: JMB  
Scale: 1" = 40' (See also 10/20/02/2003)  
Rev: 1-31-03, 10-10-2003

GRADING PLAN  
41ST STREET BUSINESS PARK  
ROCHESTER, MN

FEB - 3 2003  
ROCHESTER DIVISION  
PLANNING DEPARTMENT

3/4



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Rochester  
Minnesota

February 3, 2003

Ms. Mitzi Baker  
Consolidated Planning Department  
2122 Campus Drive  
Rochester, MN 55904

Land Surveying

Urban - Land Planning

Consulting - Civil Engineering

Geotechnical Engineering

Construction Material Testing

Landscape Architecture

RE: Exemption from Section 62.1101.2 (a) for 41<sup>st</sup> Street Business Park

Dear Ms. Baker:

Section 62.1101 of the Rochester Land Development Manual and Zoning Ordinance contains new standards for substantial land alteration projects. The grading of the Rose Harbor Estates Fifth site will result in exceeding a 10-foot vertical fill over various portions of the site. This project meets the definition of Section 62.1101.2.a.1(d) where the cut/fill involves a grade change of 10-feet or more from the pre-existing grades. The enclosed general development plan indicates the cut and fill areas on the site. The maximum fill would be approximately 12' and the maximum cut would be approximately 18 feet.

Section 62.1102.1.F provides for an exemption provided there are sufficient findings made as contained in 62.1105. The following are suggested findings in support of the request:

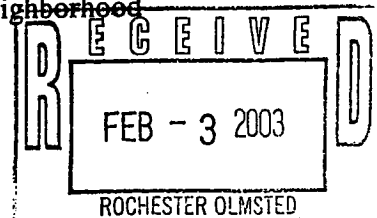
Section 62.1105(1-15).

1. The activity necessary to grade the portions in excess of 10-foot vertical cut/fill will not result in unstable slopes or unsafe access. The slopes on the site will be a maximum of 3:1 and only a small portion of the grading would involve cuts or fills in excess of 10'.
2. The environmental impacts of grading on this site to adjacent properties will be minimal.
3. There is access to the site from the south and west. It will not be necessary to truck in fill or haul fill off of the site, which will minimize the impact on the surrounding roads.
4. The additional grading will not adversely affect air quality, the ground water, or surface water quality.
5. The proposed development will not adversely affect the scenic quality of Rochester or the natural landscapes, environment, or wildlife and wildlife habitat.
6. The grading is compatible with the proposed adjacent neighborhood developments.

1648 Third Avenue S.E.  
Rochester, MN 55904

Tel. 507.289.3919  
Fax. 507.289.7333

e-mail. mbi@mcghiebetts.com





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7. The grading will not unduly affect the use and enjoyment of adjacent properties.
8. The grading activity will take place in one phase and a buffer will be constructed during this time. There are homes in the immediate area that will be visually affected by the grading activity for only a short time during the grading process.
9. The grading plan will provide for proper restoration stabilization in accordance with the codes for the City of Rochester.
10. The grading will not result in negative impacts on the drainage patterns. The grading of the site is such that run-off is directed to the appropriate locations and handled through the City storm water plan.
11. The area of grading does not contain sinkholes and will not affect the groundwater or the subsurface water quality once restoration and stabilization is completed.
12. The grading of the site will take place in one phase, taking approximately 12 weeks. This time frame is appropriate for the size and location of this activity.
13. Permanent and interim (during construction) erosion/sedimentation control will be provided for in the grading plan. The city will review and approve this city/owner contract.
14. A performance and payment bond is required for all work associated with the construction of the public improvements. This bond will be submitted with the city/owner contract.
15. This development will comply with the standards in the Land Development Manual and on file with Public Works.

Very truly yours,

McGHIE & BETTS INC.

Joshua J. Johnson  
JJJ/bd

pc: Jeff Brown